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Attorney for Defendant
JAMES JACKSON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S 03-258 EJG
)	
Plaintiff,)	STIPULATED MOTION AND ORDER TO
)	REDUCE SENTENCE PURSUANT TO 18
v.)	U.S.C. § 3582 (c) (2)
)	
JAMES JACKSON,)	<u>RETROACTIVE CRACK COCAINE</u>
)	<u>REDUCTION CASE</u>
Defendant.)	
)	
)	

Defendant, JAMES JACKSON, by and through his attorney, Assistant Federal Defender David M. Porter, and plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Executive Assistant U.S. Attorney Carolyn K. Delaney, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this court may reduce the term of imprisonment in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o);

2. On May 7, 2004, this Court sentenced Mr. Jackson to a term of imprisonment of 168 months;

3. The sentencing range applicable to Mr. Jackson was

subsequently lowered by the United States Sentencing Commission in Amendment 706 by two levels;

4. Mr. Jackson's adjusted offense level has been reduced from 35 to 33, and a sentence at the low end of the new guideline range is 135 months;

5. Accordingly, the parties request the court enter the order lodged herewith reducing Mr. Jackson's term of imprisonment to an aggregate term of 135 months.

Dated: May 29, 2008

Respectfully submitted,

McGREGOR SCOTT
United States Attorney

DANIEL J. BRODERICK
Federal Defender

<u>/s/ Carolyn K. Delaney</u>	<u>/s/ David M. Porter</u>
CAROLYN K. DELANEY	DAVID M. PORTER
Executive Assistant U.S. Attorney	Assistant Federal Defender
Attorney for Plaintiff	Attorney for Movant
UNITED STATES OF AMERICA	JAMES JACKSON

ORDER

This matter came before the Court on the stipulated motion of the defendant for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).

On May 7, 2004, this Court sentenced Mr. Jackson to a term of imprisonment of 168 months. The parties agree, and the Court finds, that Mr. Jackson is entitled to the benefit of the retroactive amendment reducing crack cocaine penalties, which reduces the applicable offense level from 35 to 33.

IT IS HEREBY ORDERED that the term of imprisonment originally imposed is reduced to an aggregate term of 135 months.

STIPULATION and ORDER REDUCING SENTENCE

1 IT IS FURTHER ORDERED that all other terms and provisions of the
2 original judgment remain in effect.

3 Unless otherwise ordered, Mr. Jackson shall report to the United
4 States Probation office closest to the release destination within
5 seventy-two hours after his release.

6 Dated: June 3, 2008

7 _____ /s/ Edward J. Garcia
8 HONORABLE EDWARD J. GARCIA
9 United States District Judge
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